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AUG 15 2005

OFFICE OF PETITIONS

In re Application of :
John Korbler and : DECISION ACCORDING STATUS
Xuecang Geng :
Application No. 10/699,042 :
Filed: October 31, 2003 :
Atty Docket No. 108430.035A :

This is a decision on the "Request for Reconsideration of Petition Under 37 CFR 1.47(a)," filed July 22, 2004. The instant petition was recently forwarded to the undersigned for consideration.

The petition is **GRANTED**.

The above-identified application was filed on October 31, 2003, without an executed oath or declaration and missing the statutory basic filing fee. In response to the "Notice to File Missing Parts of Nonprovisional Application" mailed February 2, 2004, rule 47 applicant timely filed the initial petition, asserting that status under § 1.47(a) is proper because inventor Geng refuses to join in the application. By decision mailed June 1, 2004, the petition was dismissed for failure to submit an acceptable declaration. The declaration failed to include the citizenship of inventor Geng.

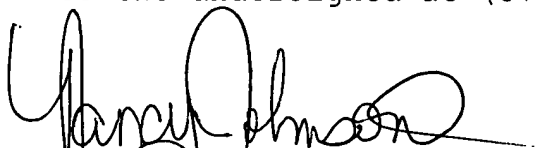
On instant renewed petition, rule 47 applicant submitted a new declaration executed by inventor John Korbler on behalf of himself and on behalf of non-signing inventor Xuecang Geng.

The declaration filed July 22, 2004, and the petition have been reviewed and are now both found in compliance with 37 CFR 1.47(a).

This application is hereby accorded Rule 1.47(a) status.

As provided in new Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3219.



Nancy Johnson
Senior Petitions Attorney
Office of Petitions



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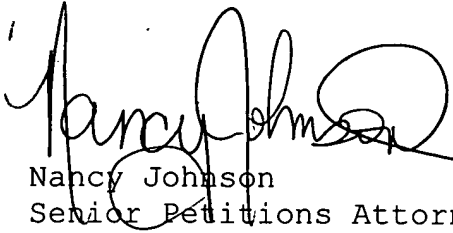
Dear Mr. Geng:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Nancy Johnson at (571) 272-3219. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for

and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area)



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